

REMARKS

Claims 1, 3-9, 12, 13, 15, and 17 are pending in the application, claims 10, 11, 14, and 16 being canceled herein. Claim 2 was canceled previously. Claims 1 and 8 are the only independent claims.

Claims Rejections - 35 U.S.C. § 103

Claims 1 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the electronic publication RCT's Tips for Investors (RCT) and further in view of the electronic publication The Internet and the Cyber-securities Marketplace (Cyber-securities)

Claims 3-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the RCT and Cyber-securities references and further in view of the article "Revolution or Evolution? W.R. Hambrecht & Co. Brings Underwriting to the Internet," The IPO Reporter, v. 23, No. 7, p. 4, Feb. 1999 (hereinafter "The IPO Reporter").

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the RCT and Cyber-securities references and further in view of U.S. Patent No. 6,289,462 to McNabb.

Claim 8-10 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Cyber-securities reference and further in view of the article by Mark Leibovich entitled "Journey into the Secret Heart of Capitalism," The Washington Post, August 9, 1998 (Leibovich).

Claim 11-13 and 15-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Cyber-securities and RCT references.

Claim 1 Applicant respectfully traverses the rejection of claim 1 and maintains that claim 1 distinguishes over the prior art, particularly over the RCT and Cyber-securities

references.

Claim 1 is directed to a method for facilitating financing of new technology, wherein a host computer is connected to a global computer network for receiving, over the network from remote computers, information describing purported advances in technology. The host computer is accessed, for example, by a user, to obtain the information downloaded from the global computer network. An evaluation of the advances in technology so obtained is then performed to determine, for each of the advances, a fixed monetary amount to be contributed in exchange for a unit of equity in a prospective technology development venture to develop the respective advance. Identifications of the advances together with respective values of the determined fixed monetary amounts are transmitted over the global computer network to preselected computers. The host computer is operated to receive, over the network from at least some of the preselected computers, respective bids for desired numbers of units of equity in the technology development ventures.

RCT, the primary reference relied on by the Examiner in rejecting claim 1, teaches a business method wherein proposed technologies are appraised by groups of RCT employees or consultants (scientists, engineers, chemists). These technological groups work with RCT's Venture Development and Corporate Finance Departments. The venture and corporate groups create and carry out development and financing plans for adding value to early stage technologies.

The Examiner contends in part that the RCT reference discloses maintaining a host computer connected to a global computer network for receiving, over the network from remote

computers, information describing purported advances in technology.

Applicant respectfully contravenes this contention of the Examiner. RCT certainly discloses the use of a host computer. The “buttons” or markers in the left hand column indicates a World Wide Web site. However, there is nothing in the RCT reference which indicates that technology disclosures are sent over the Internet to the host computer. The Web site provides information if a Web-site visitor wishes to contact RCT. That information consists of corporate and regional office addresses: the button legend is “Contacting RCT: Corporate and Regional Offices.” If anything, this button suggests that contact is to be made in person or by traditional mail correspondence. Nothing in the RCT reference suggests that invention descriptions or disclosures are to be made via the Internet to the RCT host computer. The only other relevant button or marker is entitled “WWW Technology Transfer Sites: Hot Links.” This title or legend clearly indicates a capability of linking the RCT Web site visitor to other Web sites. There is nothing about communicating invention information to the RCT host computer.

The Examiner maintains that the Cyber-securities reference suggests operating a host computer to receive, over the network from at least some preselected computers, respective bids for desired numbers of units of equity in the technology development ventures. The Examiner claims in particular that this is an inherent step in the public offering of securities which is the subject of the Cyber-securities reference.

The IBO reporter article does not suggest this process either. The IBO Reporter article does not suggest the determination of a fixed monetary amount for a unit of equity in a proposed technology venture and the transmission of that fixed monetary amount to multiple potential

investors in a solicitation of bids for numbers of shares at the fixed price. Instead, with respect to the bidding process, the IBO Reporter article specifically teaches the opposite, namely, the determination of a number of shares and the solicitation of bids on the price of that number of shares. None of the other references of record can provide any motivation for doing the opposite of what is clearly taught by the IBO Reporter article.

Claim 8 In response to the rejection of claim 8 under Section 103(a) of the Patent Statute, that claim has been amended herein to incorporate limitations from claims 10 and 11, or 14 and 16, which have been canceled.

As set forth in amended claim 8, a business method for enhancing investment in new technologies comprises selecting a predetermined number of potential investors and transmitting, to the potential investors, investment opportunities each comprising an identification of purportedly new technology and a fixed monetary amount to be exchanged in return for a predetermined unit of equity in a prospective technology development venture to develop the respective technology. Subsequently, bids for units of equity are received from at least some of the investors, the receiving of the bids for units of equity including operating a host computer to monitor messages arriving over a global computer network. The method also comprises recording identities of the bidding investors and the numbers of units of equity bid, automatically tallying total units bid, terminating bidding upon attainment of a predetermined number of units bid, and operating the host computer to monitor information arriving over the global computer network, the information describing purported advances in technology. The prospective technology development venture is selected from among the purported advances in technology

described in the information arriving over the global computer network.

As discussed above, the references of record, particularly the RCT reference, neither disclose nor suggest the invention wherein a prospective technology development venture is selected from among purported advances in technology described in information arriving over a global computer network. The RCT reference at most implies a Web site for communicating information to potential users about a technology service performed by RCT. The reference does not teach or suggest the transmission of technology information over the Internet to a host computer for evaluation and funding.

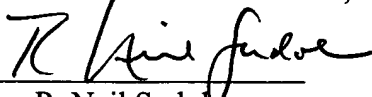
Conclusion

For the foregoing reasons, independent claims 1 and 8, as well as the claims dependent therefrom, are deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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**APPENDIX TO AMENDMENT IN APPLICATION NO. 09/329/668 SHOWING
MARKED UP VERSIONS OF AMENDED CLAIMS**

Amend claim 8 as follows:

8. (Once Amended) A business method for enhancing investment in new technologies, comprising:

selecting a predetermined number of potential investors;

transmitting, to said potential investors, investment opportunities each comprising an identification of purportedly new technology and a fixed monetary amount to be exchanged in return for a predetermined unit of equity in a prospective technology development venture to develop the respective technology;

receiving bids for units of equity from at least some of said investors, the receiving of said bids for units of equity including operating a host computer to monitor messages arriving over a global computer network;

recording identities of the bidding investors and the numbers of units of equity bid;

automatically tallying total units bid; and

terminating bidding upon attainment of a predetermined number of units bid,

further comprising:

operating said host computer to monitor information arriving over said global computer network, said information describing purported advances in technology; AND

selecting said prospective technology development venture from among the purported advances in technology described in the information arriving over said global computer network.

Amend claim 9 as follows:

9. (Once Amended) The method defined in claim 8 wherein the transmitting of one of said investment opportunities to said potential investors includes operating [a] said host computer to transmit the respective identification and the respective fixed monetary amount over a global computer network to preselected computers each associated with a respective one of said potential investors.

Amend claim 15 as follows:

15. (Once Amended) The method defined in claim [14] 2 wherein the automatic tallying of the total units bid includes operating said host computer to add units bid by respective ones of said bidding investors.

Amend claim 17 as follows:

17. (Once Amended) The method defined in claim 9 wherein the terminating of said bidding includes operating [a] said host computer to transmit over a global computer network a bidding termination signal to computers associated with said bidding investors.